

IN THE HOUSE OF REPRESENTATIVES

HOUSE CONCURRENT RESOLUTION NO. 22

BY STATE AFFAIRS COMMITTEE

A CONCURRENT RESOLUTION

STATING FINDINGS OF THE LEGISLATURE AND URGING THE DIRECTORS OF ALL STATE AGENCIES TO USE ALL CARE AND VIGILANCE TO PROTECT THE PERSONAL DATA AND PRIVATE INFORMATION OF THEIR EMPLOYEES, AND ALL CITIZENS OF THE STATE OF IDAHO THAT THEY SERVE, FOR THE PURPOSE OF PROTECTING AGAINST IDENTITY THEFT, WHICH SHOULD INCLUDE BUT NOT BE LIMITED TO THE PROTECTION OF SOCIAL SECURITY INFORMATION, BANK ACCOUNT INFORMATION, AND INFORMATION RELATING TO STATE AND FEDERAL INCOME TAXES.

Be It Resolved by the Legislature of the State of Idaho:

WHEREAS, in September of 2008, the publication "Consumer Reports" published results of an investigation revealing that government is among the biggest sources of identity leaks; and

WHEREAS, the report was based on an analysis by the publication of publicly reported data breaches compiled by the nonprofit Privacy Rights Clearinghouse and found that more than 230 security lapses by federal, state and local government from 2005 through June, 2008 resulted in the loss or exposure of at least 44 million consumer records containing social security or driver's license numbers and other personal data; and

WHEREAS, the report also noted that a 2006 investigation by the House Committee on Oversight and Government Reform found that 788 breaches had occurred between January, 2003 and July, 2006 at 17 federal departments and agencies and that few of the incidents were publicly disclosed; and

WHEREAS, recently, it was discovered that the Idaho Soil Conservation Commission, which administers, among other things, Resource Conservation and Rangeland Development Program loans, included in meeting minutes that were published on the internet, credit scores, bank information, bank balances, income levels, and debt-to-income ratios of certain applicants while considering applications for loans from the program; and

WHEREAS, the Idaho Attorney General's Office determined in an October 2, 2008, opinion, that this disclosure did not violate the Idaho Public Records Act, or the federal Fair Credit Reporting Act, but opined that the better practice would be to refrain from including credit scores, bank information, bank balances, and debt-to-income ratio information in the official minutes of the Commission.

NOW, THEREFORE, BE IT RESOLVED by the members of the First Regular Session of the Sixtieth Idaho Legislature, the House of Representatives and the Senate concurring therein, that the directors of all state agencies are urged and encouraged to use all care and vigilance to protect the personal data and private information of their employees, and all citizens of the state of Idaho that they serve, for the purpose of protecting against identity theft, which should include but not be limited to the protection of social security information, bank account information, and information relating to state and federal income taxes.